

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

RICHARD MOLINA SANIPATIN

v.

Case No. 25-cv-120-PB-TSM

PAMELA BONDI, ATTORNEY GENERAL,  
U.S. DEPARTMENT OF JUSTICE;  
KRISTI NOEM, SECRETARY OF THE U.S.  
DEPARTMENT OF HOMELAND SECURITY;  
PETE R. FLORES, ACTING DIRECTOR,  
U.S. CUSTOMS AND BORDER PROTECTION;  
JUAN G. BERNAL, CHIEF PATROL AGENT  
OF HOULTON SECTOR; CHRIS BRACKETT,  
SUPERINTENDENT, STRAFFORD COUNTY  
DEPARTMENT OF CORRECTIONS<sup>1</sup>

**ORDER**

Richard Molina Sanipatin filed his petition for a writ of habeas corpus under [28 U.S.C. § 2241 \(Doc. No. 1\)](#), through counsel, seeking an immediate release from custody, injunctive relief enjoining Respondents from further unlawfully detaining him, attorney's fees, and costs. Petitioner is in the custody of U.S. Customs and Border Protection ("CBP") at the Strafford County Department of Corrections ("SCDC"). [Doc. No. 4](#). The petition is before the court for preliminary review. See Rule 4 of the Rules Governing Section 2254 Cases ("§ 2254 Rules"); see also § 2254 Rule 1(b); [LR 4.3\(d\)\(4\)](#).

The petition's due process claims are not facially invalid. Therefore, the clerk's office shall:

- Deliver copies of this Order and the petition ([Doc. No. 1](#)) to the attention of the Civil Bureau Chief of the United States Attorney's Office for the District of New Hampshire;

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<sup>1</sup> At the time he filed his petition ([Doc. No. 1](#)), Petitioner was being held at the Franklin County Detention Center in Farmington, Maine ("FCDC"). Respondents transferred Petitioner to the Strafford County Department of Corrections ("SCDC") on March 25, 2025. See [Doc. No. 4](#). Accordingly, the Court construes the petition to name SCDC Superintendent Chris Brackett, rather than Sheriff Scott Nichols, Sr., of the FCDC, as the proper respondent in this case. See [Rumsfeld Padilla, 542 U.S. 426, 435-36 \(2004\)](#) (the proper respondent in a habeas action brought under 28 U.S.C. § 2241 is the petitioner's immediate physical custodian). The Clerk's office is directed to update the docket of this case accordingly.

- Send the same documents by certified mail to the Attorney General of the United States and to the federal Respondents, the Secretary of Homeland Security, the Acting CBP Director, and Chief Patrol Agent of Houlton Sector; and
- Provide the same documents to the U.S. Marshals Service for service on the SCDC Superintendent, pursuant to [Fed. R. Civ. P. 4\(j\)\(2\)](#).

The SCDC Superintendent must file an appearance in this matter within fourteen days of service upon him. The SCDC Superintendent is not required to file an answer or other response to the petition at this time.

The federal Respondents are directed to file an answer or dispositive motion in response to the petition ([Doc. No. 1](#)) within fourteen days of the date of service on the United States Attorney. If the federal Respondents file a dispositive motion in lieu of an answer, the federal Respondents' deadline for filing an answer is extended until fourteen days after the court rules on the dispositive motion. No more than fourteen days after the federal Respondents' answer is filed, the federal Respondents shall file either a motion for summary judgment, or a statement representing that an evidentiary hearing is necessary.

Respondents shall provide this court with at least 72 hours advance notice of any scheduled removal or transfer of the petitioner out of this court's jurisdiction.

SO ORDERED.

  
Talesha L. Saint-Marc  
United States Magistrate Judge

April 9, 2025

cc: Melissa A. Hewey, Esq.  
JoAnn A. Dodge, Esq.